

## **MISSOURI STATE AUDITOR'S OFFICE FISCAL NOTE (06-23)**

### **Subject**

House Joint Resolution No. 55 submitting to the voters a constitutional amendment relating to public officials. (Received June 7, 2006)

### **Date**

June 27, 2006

### **Description**

This proposal would amend Section 3 of article XIII by amending Section 3.8 and adding Sections 3.12 and 3.13. Section 3.8 would be amended to require a two-thirds majority vote of the general assembly to disapprove the schedule of compensation filled by the compensation commission.

Section 3.12 would disqualify any public official from receiving a pension from the state of Missouri if they are convicted of a felony which occurred while in office or who has been removed from office for misconduct or following impeachment.

Section 3.13 would require compensation schedules filed after the effective date of this subsection to take effect January 1, 2009.

The amendment is to be voted on in November, 2006, or at a special election called by the governor.

### **Public comments and other input**

The State Auditor's Office received input from the Secretary of State (SOS), the Department of Economic Development (DED), the State Treasurer's Office (STO), the Department of Mental Health (DMH), the Office of State Courts Administrator (OSCA), the Missouri Department of Transportation (MoDOT), the Office of Administration (OA), the Department of Health and Senior Services (DHSS), the Department of Public Safety (DPS), the Department of Higher Education (DHE), the Department of Corrections (DOC), the Department of Social Services (DSS), the Department of Agriculture, the Department of Revenue (DOR), the House of Representatives, the Senate, the Governor's Office, the State Tax Commission (STC), the Missouri Department of Conservation (MDC), the Department of Natural Resources (DNR), the Department of Elementary and Secondary Education (DESE), the Attorney General's Office, Adair County, Taney County, the City of Wentzville, Hannibal School District #60, Linn State Technical College, Metro Community College, the University of Missouri, and St. Louis Community College.

The State Auditor's Office did not receive a response from the Department of Labor and Industrial Relations (DOLIR), the State Public Defender, Callaway County, Cass County, Clay County, St. Charles County, the City of Joplin, the City of Springfield, the Cape Girardeau School District, or the Rockwood School District.

## **Assumptions**

Officials from the SOS indicated they are required to pay for publishing in local newspapers the full text of each statewide ballot measures as directed by Article XII, Section 2(b) of the Missouri constitution and Section 116.230-116.290, RSMo. The SOS's Office is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session and likely initiative petitions that are certified for the ballot. In the FY 2007 budget approved by the Missouri General Assembly a total of \$1.6 million has been provided to meet these requirements and they assume the Governor will approve this when he signs the appropriations bill. The appropriation is an estimated appropriation because the final cost is dependent upon the number of ballot measures approved by the General Assembly and the initiative petitions certified for the ballot. Therefore, the SOS's Office should have the full appropriation authority it needs in FY 2007 to meet the publishing requirements of the proposal. There will not be any other costs for the SOS.

Officials from the DED indicated the proposal would have no fiscal impact on the department.

Officials from the STO indicated the proposal would have no fiscal impact on the department.

Officials from the DMH indicated the proposal would have no fiscal impact on the department.

Officials from the OSCA indicated they are unable to provide a possible impact of the proposal.

Officials from the MoDOT indicated the proposal would have no fiscal impact on the department.

Officials from the OA, on behalf of the Governor's Office, indicated the proposal would have no fiscal impact on their offices.

Officials from the DHSS indicated the proposal would have no fiscal impact to the department.

Officials from the DPS indicated the proposal would have no fiscal impact to the department.

Officials from the DHE indicated the proposal would have no fiscal impact on the department.

Officials from the DOC indicated the proposal would have no fiscal impact on the department.

Officials from the DSS indicated the proposal would have no fiscal impact to the department.

Officials from the Department of Agriculture indicated the proposal would have no fiscal impact on the department.

Officials from the DOR indicated the proposal would have no fiscal impact to the department.

Officials from the House of Representatives indicated the proposal would have no fiscal impact to the House.

Officials from the Senate indicated the proposal would have no fiscal impact to the agency.

Officials from the STC indicated the proposal would have no fiscal impact on the commission.

Officials from the MDC indicated the proposal would have no fiscal impact on the department.

Officials from the DNR indicated the proposal would have no direct fiscal impact on the department.

Officials from the DESE indicated the proposal would have no fiscal impact on the department.

Officials from the Attorney General's Office indicated the costs can be absorbed with existing resources.

Officials from Adair County indicated the proposal would have no fiscal impact to the county.

Officials from Taney County indicated the proposal would have no fiscal impact to the county.

Officials from the City of Wentzville indicated they see no direct fiscal impact to the city.

Officials from Hannibal School District #60 indicated the proposal would have no fiscal impact to the district.

Officials from Linn State Technical College indicated the true fiscal impact is unknown. They did explain that providing a penalty for public officials who are convicted while in office would save taxpayers.

Officials from Metro Community College of Kansas City indicated the proposal would have no fiscal impact on the college.

Officials from the University of Missouri indicated the proposal would have no fiscal impact on the university.

Officials from St. Louis Community College indicated the proposal would have no fiscal impact on the college.

### **Fiscal Note Summary**

It is estimated this proposal will have no costs to state or local governments.